

DRAFT: 9th Update Code Language—Minor Corrections**ISSUE #45: Vacant Structures****§54.0308 Standards for Boarding a Vacant Structure**

Except as provided in Section 54.0308(a)(9)(i), the *responsible person* or *Director* shall board a *vacant structure* according to all of the following specifications and requirements:

(a) through (i) [No change.]

§54.0309 Entry or Interference with Notice Prohibited

- (a) It is unlawful for any person to enter or occupy any structure or premises which has been posted pursuant to Section 54.0308(a)(8)(h) of this Division, except to repair or demolish the structure under proper permit or for a purpose authorized by the owner.
- (b) It is unlawful for any person to remove or deface any notice posted pursuant to Section 54.0308(a)(8)(h) of this Code until the required repairs or demolition have been completed or a Certificate of Occupancy has been issued in accordance with appropriate provisions of the California Building Code as in Chapter IX of the Municipal Code.

ISSUE #46: Fee Payment (Incorrect Spelling)**§98.0425 Free Fee Payment**

When fees are to be paid, the payment or an offer for payment shall be made to and accepted by the school district prior to the issuance of a building permit for the proposed development.

ISSUE #47: Definition of Reasonable Accommodation (Incorrect Term)**§113.0103 Definitions**

Abutting property through Public utility [No change.]

Reasonable Accommodation, pursuant to the Fair Housing Amendments Acts of 1988 and the California Fair Employment and Housing Act, means accommodations necessary to afford *disabled persons* an equal opportunity to use and enjoy a *dwelling unit* ~~dwelling~~.

Reclamation through Yard [No change.]

ISSUE #48: Zoning and Rezoning Actions (Missing Section Reference)**§123.0101 Purpose of Zoning and Rezoning Procedures**

The purpose of these procedures is to establish the process for the inclusion or placement of any property within the City of San Diego into any zone as established and defined in Chapter 13 (Zones), and the inclusion or placement of any property in a planned district zone subject to Chapter 15 (Planned Districts).

ISSUE #49: Capital Improvement Program Projects**§126.0502 When a Site Development Permit is Required**

- (a) through (b) [No change.]
- (c) A Site Development Permit in accordance with Process Three is required for the following types of *development*.
 - (1) through (3) [No change.]
 - (4) *Public improvements* required in association with private *development* that involve *development* of more than 3,000 feet of property frontage, as described in Section 142.0612, ~~except that capital improvement program projects shall be subject to Process CIP Two.~~
 - (5) *Public improvements* required in association with private *development* for which adopted City standards do not apply, as described in Section 142.0612, ~~except that capital improvement program projects shall be subject to Process CIP Two.~~
 - (6) through (8) [No change.]
- (d) through (g) [No change.]

ISSUE #50: Regulation of Residential in Commercial Zones**§131.0540 Maximum Permitted Residential Density and Other Residential Regulations**

The following regulations apply to residential *development* within commercial zones where indicated in Table ~~131-04B~~ **131-05B**:

- (a) through (f) [No change.]

ISSUE #51: Pushcarts/Retail Food Code (Incorrect Section Reference, Punctuation Errors)**§141.0619 Pushcarts**

This section regulates pushcarts on private property and pushcarts in the *public right-of-way*. Pushcarts are moveable, wheeled, non-motorized vehicles used by vendors for the sale of food or beverage products, fresh-cut flowers, or live plants in pots. Pushcarts are a health regulated business subject to Municipal Code Section 42.0102.

(a) Pushcarts on Private Property

Pushcarts are permitted on private property as a limited use in the zone indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(1) through (4) [No change.]

~~(5) — The operation of the pushcart shall be in conformance with Municipal Code Sections 42.0160 through 42.0167.~~

(b) Pushcarts in the *Public Right-of-Way*

Pushcarts may be permitted in the *public right-of-way* with a Neighborhood Use Permit in the zones indicated with an “N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(1) [No change.]

(2) The decision maker will consider the appropriateness of the pushcart design and color scheme, *signs*, and graphics for the products for sale and the proposed location. ~~This provision supersedes Municipal Code Section 42.0163(Q).~~

(3) through (11) [No change.]

(12) Pushcarts shall not be left unattended, nor shall they remain in the *public right-of-way* between 12:00 midnight and 6:00 a.m. except for special events as provided for in Municipal Code Section 42.0130.1 22.4003.

~~(13) — The operation of the pushcart shall be in conformance with Municipal Code Sections 42.0160 through 42.0167.~~

~~(14)~~(13) An *applicant* that has received a Neighborhood Use Permit for a pushcart shall have an operating cart on the specified site within 60 calendar days of approval or the permit will be void.

~~(15)~~(14) The permit is valid only when used at the location designated on the permit.
The permit shall be displayed in a prominent and visible place on the pushcart.

~~(16)~~(15) A Neighborhood Use Permit for a pushcart may not be transferred, but there may be more than one *applicant* for a single permit.

~~(17)~~(16) A Neighborhood Use Permit for a pushcart can be revoked or modified in accordance with Sections 121.0313 through 123.0316.

~~(18)~~A Neighborhood Use Permit for a pushcart can be revoked on any of the grounds listed in Municipal Code Section 42.0168.

ISSUE #52: General Fence Regulations (Grammatical Error)

§142.0310 General Fence Regulations for All Zones

(a) Location and Height of *Fences*

(1) No portion of a *fence* shall extend beyond the *property line* of the premises into the *public right-of-way* unless ~~an~~ **a** Public Right-of-Way permit has been obtained.

(2) through (3) [No change.]

(b) through (e) [No change.]

ISSUE #53: Street System (Italicization Error)

§144.0233 Acceptance of Dedication

No reservation for *public rights-of-way* shall be offered for dedication unless such offer includes any necessary slope easements required for the ultimate development of the *public right-of-way*, and no such reservation shall be accepted for dedication by the City until improvements therein are constructed pursuant to the requirements of this Code.

The City Engineer, or other designee of the City Manager, may accept on behalf of the City Council *streets* and roads, or portions thereof, into the City *street system* **system** and record conveyances to the City of real property interests for *street* and road uses and purposes. No *street* shall be accepted into the City *street system* **system** and open to public use until improvements are constructed pursuant to the requirements of this Code.

ISSUE #54: Otay Mesa Planned District Ordinance (Remove Titles of Repealed Sections)

~~Article 17: Otay Mesa Development District~~

(Repealed 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)

~~Division 1: General Rules~~

(Repealed 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)

~~Article 17: Otay Mesa Development District~~

(Repealed 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)

~~Division 2: Permits and Procedures~~

(Repealed 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)

~~Article 17: Otay Mesa Development District~~

(Repealed 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)

~~Division 3: Zones and Subdistricts~~

(Repealed 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)

~~Article 17: Otay Mesa Development District~~

(Repealed 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)

~~Division 4: General and Supplemental Regulations~~

(Repealed 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)